

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 24, 2005. Claims 20 to 22, 24, and 25 are in the application, all of which are independent. Claim 23 has been cancelled without prejudice. Reconsideration and further examination are respectfully requested.

Claims 20 to 22, 24, and 25 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,913,986 (Matsuyama). The rejection is respectfully traversed.

Reliance on Matsuyama in the context of a rejection under § 103 is improper in view of the provisions of 35 U.S.C. § 103(c) for the reason that, at the time of the invention of the subject application, Matsuyama and the claimed invention were commonly owned by Canon Kabushiki Kaisha or subject to an obligation of assignment to Canon Kabushiki Kaisha. Pursuant to MPEP § 706.02(1)(2), the following conspicuous statement is made:

Matsuyama and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Withdrawal of the § 103(a) rejection is therefore respectfully requested.

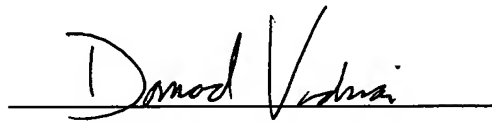
Matsuyama has foreign counterparts which were published before the effective filing date of the subject application. See, for example, Europe 831,538, filed March 25, 1998, and others. Accordingly, a sworn translation of priority application Japan 10-65287, filed March 16, 1998, and a sworn translation of priority application Japan 10-66854, filed March 17, 1998, are being submitted herewith. (Sworn translations were also submitted in parent Application No. 09/839,891.) In keeping with the procedure

under MPEP § 201.15, the Examiner should confirm for himself that Applicants are entitled to their priority date for the claimed subject matter.

In view of the foregoing, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, reading "Damond E. Vadnais", is written over a horizontal line.

Damond E. Vadnais
Attorney for Applicants
Registration No.: 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

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